

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 2/3/2022
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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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NEW WTC RETAIL OWNER LLC,	:	
	:	
Plaintiff,	:	
	:	
-against-	:	
	:	21-CV-7132 (VEC)
	:	
STARBUCKS CORPORATION,	:	
	:	<u>ORDER</u>
	:	
Defendants.	:	
-----X		

VALERIE CAPRONI, United States District Judge:

WHEREAS on February 3, 2022, the parties appeared for a telephone conference to resolve a discovery dispute.

IT IS HEREBY ORDERED that fact discovery that implicates the discovery dispute that the parties labeled “issues four and five” is hereby STAYED pending the Court’s resolution of Plaintiff’s motion for partial judgment on the pleadings (Dkt. 34). Were the Court to deny Plaintiff’s motion, the Court will re-open the fact discovery that implicates those two disputes; Plaintiff has acknowledged on the record that it will not object if discovery is reopened and Plaintiff is required at that time to conduct additional electronic discovery.

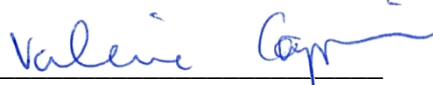
IT IS FURTHER ORDERED that the parties must continue to meet and confer to try and resolve the dispute that the parties have labeled “issue six.” By no later than **Friday, February 11, 2022**, the parties must file a joint letter indicating whether that issue has been resolved. If the parties are unable to resolve the dispute, each party should file its proposed search terms and search period and an explanation, not to exceed two pages, as to why those terms and that period is appropriate. The Court will then schedule an in person conference to resolve the dispute.

IT IS FURTHER ORDERED that the fact discovery deadline is adjourned to **Friday, April 29, 2022**. (If the pending motion for partial judgment on the pleadings is denied, that

deadline will be partially reopened.) The status conference, currently scheduled for April 1, 2022 at 10:00 A.M., is hereby adjourned to **Friday, May 6, 2022 at 10:30 A.M.** Pre-conference submissions are due no later than **Thursday, April 28, 2022.** For a description of the requirements of the pre-conference submissions, the parties should consult the Court's order at docket entry 17.

**SO ORDERED.**

**Date: February 3, 2022**  
**New York, New York**

  
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**VALERIE CAPRONI**  
**United States District Judge**